

*Docket No.: Benderly*

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS: New Patent Application; Commissioner for Patents; P. O. Box 1450; Alexandria, VA 22313-1450, on:

January 15, 2004

(date)

Lori G. Witkin

In re: Application of:       David BENDERLY

Cont. of Serial No.   :       10/353,146

Group Art Unit:   1725

Filed                       :       January 15, 2004

Examiner: S. Heinrich

For                         :       GEMSTONE MARKING SYSTEM AND METHOD

New York, New York  
January 15, 2004

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to calculation of the filing fee and before examination, kindly amend the above captioned application as follows:

Amendments to the Specification begin on page 2 of this Response.

Amendments to the Claims are reflected in the Complete Listing of the Claims and begin on page 3 of this Response.

Remarks begin on page 5 of this Response.